

# FORMAL MEETING AGENDA BOARD OF SUPERVISORS

(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts, and/or Board of Deposit)

## WEDNESDAY, OCTOBER 31, 2007

### 9:00 AM

Board of Supervisors' Auditorium  
205 W. Jefferson  
Phoenix, Arizona

#### INVOCATION

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

*One or more members may attend telephonically.  
Members attending telephonically will be announced at the meeting.*

The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).

#### BOARD OF SUPERVISORS

#### PRESENTATIONS

##### 1. WINNING AS ONE AWARD

For the second consecutive year, Walgreens Health Initiatives (WHI), the pharmacy benefit manager for the County's employee pharmacy benefit, will present a "Winning as One" award to Maricopa County for the "Highest Generic Dispensing Rate", 67.1%, of companies and organizations in the United States that contract with WHI for their commercial pharmaceutical services. (C3508003000) (ADM650-001)

##### 2. SERVICE AWARDS

Present the following employees, who have provided 30 or more years of public service to Maricopa County. (C3508004900) (ADM3341)

##### 30-32 Years of Service

Name	Department	Employment Date
George W. Gridley	Juvenile Probation	September 13, 1977
Raymond Hilton	Assessor's Office	September 20, 1977
Sally E. Sokol	Public Fiduciary	September 19, 1977
Shirley K. Strembel	Public Health	September 7, 1977
Willie M. Russell	Public Health	September 29, 1975

**35 Years of Service**

Name	Department	Employment Date
Michael W. Branham	Sheriff's Office	September 18, 1972
Kristine A. Hatfield	County Attorney	August 13, 1972
William Mohr	Assessor's Office	July 24, 1972
Marcie A. Rosales	Correctional Health	August 28, 1972

**3. REWARDING IDEAS PROGRAM**

Present the following employees awards from the Rewarding Ideas Program: (C2008030900) (ADM3333-002)

Employee Name	Department
Jasper Altaha and Amy Putnam	Elections
Theodoro Rodriguez	Facilities Management
Kathryn (Trudie) Stockton	Planning and Development
Corrine Russell and Karen E. Reno	Environmental Services

**STATUTORY HEARINGS**

**Clerk of the Board**

**4. LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Kim Kenneth Kwiatkowski for a New Series 10 Liquor License: (MCLL6244) (AZ#10075490)

Business Name: Circle K Store # Riggs  
Location: SEC Riggs Road and Arizona Avenue, Chandler 85248

**5. GILBERT COUNTY ISLAND FIRE DISTRICT**

Pursuant to A.R.S. §48-851, convene the scheduled public hearing regarding the formation request for the proposed Gilbert County Island Fire District, located in the Town of Gilbert municipal planning area.

The Board will hear those who appear for and against the proposed district and shall determine whether the creation of the district will promote public health, comfort, convenience, necessity or welfare. If the Board of Supervisors determines that the public health, comfort, convenience, necessity or welfare will be promoted, it shall approve the district formation request and authorize the persons proposing the district to circulate petitions.

The revised map and list of proposed organizing board members are on file in the Clerk of the Board's Office. (Supervisorial District 1 and 2) (C0608034700) (ADM4450-001)

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **COUNTY OFFICERS**

#### **Assessor**

**6. TRANSFER EXPENDITURE AUTHORITY FOR GEODETIC DENSIFICATION AND CADASTRAL SURVEY SYSTEM**

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$3,063,876 from FY 2007-08 Appropriated Fund Balance (480) General Fund (100) Technology Reserve (4811) to a new line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "GDACS - Geodetic Densification and Cadastral Survey". Approval of this action will allow one-time funding for the Assessor's Office to contract, hire temporary staff and utilize resources to implement a Geodetic Densification and Cadastral Survey system. These adjustments will result in a net impact of zero to the County budget. (C1208003000) (ADM300-003)

#### **Constables**

**7. MARICOPA COUNTY CONSTABLE POLICY**

Approve amending the Constables Personal Safety Training Policy A2232 by adding language, which includes requiring that the minimum qualification for the position of Maricopa County Deputy Constable includes the certification from the Arizona Peace Officer Standards and Training Board (AZPOST). (C2508003600) (ADM1302)

#### **County Attorney**

**8. GRANT FUNDS FOR THE PROJECT SAFE NEIGHBORHOOD ANTI-GANG PROSECUTION PROGRAM**

Approve receipt of Federal grant funds from an agreement with the **Arizona Criminal Justice Commission** (ACJC) for the FY 2007-2008 Project Safe Neighborhood Anti-Gang Prosecution Program in the amount of \$84,969. These grant funds are provided to enhance efforts to prosecute gang offenders. This grant agreement, ACJC number PSNA-08-1010, will commence on July 1, 2007, and will terminate on September 30, 2008. The grant funds may not be expended for any indirect costs which may be incurred by the Maricopa County Attorney's Office or Maricopa County for the administration of this grant. The Maricopa County Department of Finance has calculated the County Attorney's composite indirect cost rate at 13.8%. The non-recoverable indirect cost of administering this grant is \$11,725.72.

Also, authorize revenue and expenditure appropriation increase adjustments for the County Attorney (190) grant fund (219) in the amount of \$84,969. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore expenditure of the funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1908027300)

**9. FUNDS FROM THE STATE OF ARIZONA TO ENFORCE IMMIGRATION RELATED MATTERS**

Pursuant to House Bill 2779, the "Legal Arizona Workers Act," approve the receipt of \$1,430,000 from the State of Arizona to the Maricopa County Attorney's Office for the purpose of enforcing immigration related matters and the provisions of A.R.S. §23-212. This funding is effective September 19, 2007, and is exempt from the provisions of A.R.S. §35-190, relating to lapsing of appropriations. The guidelines concerning the recovery of indirect costs do not apply to these monies.

Also, approve a FY 2007-08 revenue and expenditure appropriation increase of \$1,430,000 to the County Attorney's Office (190) Grants Fund (219) associated with the aforementioned funds. Aid from the State is not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these funds is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C1908028300)

**Sheriff**

**10. ACCEPT ADDITIONAL REIMBURSEMENT FUNDING FROM THE BUREAU OF JUSTICE ASSISTANCE, STATE CRIMINAL ALIEN ASSISTANCE PROGRAM**

Approve acceptance of \$224,625 in additional FY 2006 reimbursement funding from the **Bureau of Justice Assistance, State Criminal Alien Assistance Program** (SCAAP). The purpose of this grant program is to reimburse state and local government agencies a portion of the costs to incarcerate undocumented criminal aliens. The inmate costs calculation only includes staff whose primary responsibility is the care, custody, or supervision of persons detained (pre-trial detention) and incarcerated (convicted and sentenced) inmates. Since no other staff members are eligible, indirect costs are not-recoverable.

Also, pursuant to A.R.S. §42-17106(b), approve an increase in the revenue and expenditure authority in the amount of \$224,625 in Appropriated Fund Balance (480) Detention Fund (255) Reserved Contingency (4811) Detention Initiatives line. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C5008501301)

**11. ONE-TIME ADDITION TO FLEET OF AN IMPOUNDED VEHICLE**

Approve a one-time addition to fleet of an impounded vehicle under DV#2007-013278 DR#-6-34885 to be utilized by Inmate Laundry. The vehicle is a white 2000 Ford E150 Cargo Van with 74,500 miles and gas motor valued at \$7,875. The annual estimated operating cost is \$5,000. The vehicle will be used by Inmate Laundry in their daily operations. No vehicle replacement cost is associated with this vehicle since it is a one time addition to the County fleet and will automatically be removed from the Maricopa County Sheriff's Office fleet when its useful life has expired. (C5008024M00) (ADM3104)

**12. TRADE OF AN AERO COMPUTER LE 3000 GPS MOVING MAP SYSTEM**

Pursuant to Maricopa County Procurement Code, MC1-803, 3.D.3., approve the trade-in of an Aero Computer LE 3000 GPS moving map system, serial number RU104, valued at \$17,000 to allow the Sheriff's Office to receive credit toward the purchase of an upgraded Aero Computer LE 5000 for the Fox 1 helicopter. The contract vendor is Aero Products. The Maricopa County Procurement Code provides that surplus materials may be disposed of by trade-in with the approval of the Board. (C5008025M00) (ADM3104-001)

**13. ACCEPT GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICY SERVICES, METH INITIATIVE GRANT PROGRAM**

Approve acceptance of \$449,999 in grant funds from the **U.S. Department of Justice, Community Oriented Policy Services (COPS)**, Meth Initiative Grant Program. Approval to accept this grant will allow the Sheriff's Office to enhance the meth investigation activities and increase public awareness regarding methamphetamine usage in the community. The term of this award is September 1, 2007 through August 31, 2009. The Sheriff's Office FY 2007-08 indirect cost rate is 11.7%. The unrecoverable indirect costs are estimated to be \$52,649.88. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. This grant award will be included in the Sheriff's office mid year grant reconciliation. (C5008533300)

## **COUNTY MANAGER**

**Office of the County Manager**

**14. ECONOMIC DEVELOPMENT CONTRACT WITH GREATER PHOENIX CHAMBER OF COMMERCE**

Approve the FY 2007-08 Economic Development Contract with **Greater Phoenix Chamber of Commerce** in the amount of \$165,000. The Board approved funding for Economic Development contracts as line items in the FY 2007-08 final budget. As part of the Economic Development funding, Maricopa County will provide the Greater Phoenix Chamber of Commerce funding in the amount of \$165,000 to operate the Bid Source Program in order to assist existing businesses in Maricopa County to compete for and win government contracts. This is achieved by enrolling businesses into the program, matching possible contracts with local business competencies, and providing technical assistance that will help local businesses to successfully compete for available contracts. This contract contains performance goals and reporting requirements.

The Board is authorized to approve financial support up to \$1,500,000 annually from the General Fund for the purpose of economic development programs which are operated and maintained within the boundaries of Maricopa County for government agencies and non-profit organizations pursuant to A.R.S. §11-254 and related statutes. The term of this contract shall be effective from July 1, 2007 to June 30, 2008. (C2008029100)

## **DEPUTY COUNTY MANAGER**

### **Employee Health Initiatives**

**15. WELLNESS-RELATED HEALTH INITIATIVES**

Approve wellness-related health initiatives that promote healthier life styles for employees through wellness events at the worksite; and

Approve and authorize incentives not to exceed \$100,000 per fiscal year for wellness events at the worksite.

By offering a wide variety of wellness opportunities to support building a Well Workplace, employees may become motivated to participate in wellness programs and activities. (C3507025M00) (ADM3350)

### **Office of Enterprise Technology**

**16. PURCHASE OF EQUIPMENT, SOFTWARE, AND STAFFING FOR UPGRADE OF THE CURRENT COMPUTER ASSISTED MASS APPRAISAL**

Approve the purchase of equipment and software, staffing including a Business Analyst, IT Architect and Sr. Programmer Analyst, professional installation services and training with an annual expenditure amount not to exceed \$1,945,596 for the Assessor's Office and the Office of Enterprise Technology to collaboratively upgrade the current Computer Assisted Mass Appraisal (CAMA) system beginning in FY 2007-08.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$2,095,650 from FY 2007-08 Appropriated Fund Balance (480) General Fund (100) Technology Reserve (4811) to the existing line item in Appropriated Fund Balance (480) General Fund (100) Technology Projects (4814) entitled "Assessor CAMA". This will fund one-time costs over a three year period.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority in the amount of \$434,648 from FY 2007-08 Non-Departmental (470) General Fund (100) Technology Reserve (4711) to the Office of Enterprise Technology (410) General Fund (100). This action will fund three (3) FTEs as well as associated supplies to support the system.

Also, direct the Office of Management and Budget to reserve \$1,076,357 in a new line item in Non-Departmental (470) General Fund (100) Other Programs (4712) entitled "Assessor CAMA" for on-going fluctuations in the recurring costs that will need to be budgeted in the Office of Enterprise Technology's budget and updated each fiscal year during the budget process through FY 2012. This action will require an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) General Fund (100) Technology Reserve (4711) in the amount of \$1,076,357 and Increasing the FY 2007-08 Non-Departmental (470) General Fund (100) Other Programs (4712) "Assessor CAMA" in the amount of \$1,076,357.

These adjustments will result in a net impact of zero to the County budget. (C4108002000)

**Public Health**

**17. ACCEPT FUNDS FOR DISEASE CONTROL AND PREVENTION PROGRAMS**

Approve the acceptance of additional grant funds to the Cooperative Agreement Contract (5U50PS923258-05) between the United States Department of Health and Human Services (USHHS) Centers for Disease Control and Prevention and the Maricopa County Department of Public Health, HIV Prevention Program to provide viral hepatitis education and training. This amendment provides additional funds to the HIV Prevention Program in the amount of \$137,509 for the budget period September 30, 2007 through September 29, 2008. This is the final budget period for this five year grant.

The Department of Public Health's indirect rate for FY 2007-08 is 18.0%. This grant's indirect rate is 10%. The full indirect costs are estimated at \$20,976, of which \$12,501 is recoverable and \$10,001 is unrecoverable.

Approve a revenue and expenditure appropriation adjustment to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$34,377 for FY 2008-09. The appropriation adjustment is not necessary for FY 2007-08 because these funds were included in the FY 2007-08 adopted budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. Funding for this agreement is provided by a grant from USHHS and will not impact the County general fund budget. (C8604056204)

**18. AMENDMENT TO CONTRACT WITH ARIZONA PARTNERSHIP FOR IMMUNIZATION TO TRAIN PARAMEDICS AND PUBLIC/PRIVATE SECTOR VOLUNTEERS**

Approve Amendment No. 1 to the Contract for Services (C86070531) with the Arizona Partnership for Immunization (TAPI) and Maricopa County by and through its Department of Public Health to train paramedics and public/private sector volunteers to administer vaccinations in the event of an outbreak of a vaccine preventable illness. The purpose of this amendment is to exercise the option per Section I, 24, Right to Extend Contract, to extend the contract for an additional year and will be valid from September 1, 2007 through August 31, 2008. The purpose of this amendment is to allow TAPI to expend the remaining funds allotted in the original contract; the total dollar amount of the original contract remains unchanged. All other terms and conditions of the contract remain in full force and effect. TAPI is a prior designated subcontractor as defined by MC1-102.C of the Maricopa County Procurement Code. (C8607053101)

**19. AMENDMENT TO IGA FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Amendment No. 2 to Intergovernmental Agreement (IGA) No. C86074082 with the Littleton Elementary School District to provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. This amendment is effective upon execution by both parties and exercises the option in the agreement per Section 1, paragraph 24 to extend the agreement for a one year period starting upon full-execution of the agreement to May 1, 2008. This amendment also provides additional funds to the Littleton Elementary School District in the amount of \$6,500 for the budget period July 1, 2007 through May 1, 2008. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. (C8607408202)

**20. AGREEMENT FOR CLINICAL TRAINING EXPERIENCE**

Approve the Affiliation Agreement entitled "Statement of Affiliation" between the **University of North Dakota (UND) School of Medicine and Health Sciences** and the Department of Public Health to provide clinical training experience for UND medical students at the Department of Public Health Healthcare for the Homeless program. The agreement is non-financial and is effective July 1, 2007, and continues until terminated by either party as provided for in sections 4.M and 7.C of the agreement. (C8608035000)

**21. IGA FOR SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve Intergovernmental Agreement (IGA) No. C86084002 with the Maricopa County Department of Public Health and the **Maricopa County Community College District** to provide school-based tobacco use prevention and education services. This agreement is effective upon execution by both parties. This agreement provides funds to the Maricopa County Community College District in the amount of \$25,900 for the budget period of August 27, 2007 through May 1, 2008. This agreement is covered under Section MC1-1001 of the Maricopa County Procurement Code. (C8608400200)

## **ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES**

### **Human Services**

**22. AMENDMENT TO LEASE WITH FIRST EVANGELICAL LUTHERAN CHURCH**

Approve and execute Amendment No. 3 to Lease No. L7325 with First Evangelical Lutheran Church of Mesa, Arizona, an Arizona corporation, Lessor, C2203103402. Lessor and Lessee now mutually desire to amend the lease to increase the fire inspection fee to \$450. Also, extend the term of the lease to October 2, 2009, and increase the monthly utility fee to \$937 for a total annual utility fee of \$11,244. The effective date of this amendment is the date of execution by the Board. All other terms and conditions of the original agreement remain the same and in full force and effect. This agreement contains a 90-day termination clause and does not include any county general funds. By approving this amendment, the Head Start program strengthens a collaborative partnership and maintains resources to enhance the personal development of young children in Maricopa County so each child served has the foundational skills to be successful in school. (C2203103404)

**23. ADMINISTRATIVE CORRECTION TO CONTRACT WITH ARIZONA CALL-A-TEEN YOUTH RESOURCES, INC.**

Approve an administrative correction to contract C22070731, between Arizona Call-A-Teen Youth Resources, Inc. and Maricopa County Human Services Department (HSD) approved by the Board on July 25, 2007. This correction changes the contract value (dollar amount) from \$936,299 to \$936,427. All other terms and conditions of this contract shall remain unchanged. (C2207073105)



**24. AMENDMENT TO CONTRACT WITH CATHOLIC CHARITIES COMMUNITY SERVICES**

Approve Amendment No. 1 to Contract C22080641, between Catholic Charities Community Services, an approved Delegate Agency, and Maricopa County Human Services Department, to provide a 1.5% Cost of Living funding increase to the Head Start and Early Head Start employees of Catholic Charities, in the amount of \$103,879. Funding for this contract is provided by the U.S. Department of Health and Human Services (DHHS). This contract does not include any County general funds. This amendment is effective upon Board approval. (C2208064101)

**25. AMENDMENT TO CONTRACT WITH FOUNDATION FOR SENIOR LIVING HOME IMPROVEMENTS**

Approve Amendment No. 1 to Contract C22080891, between FSL Home Improvements, an affiliate corporation of the Foundation for Senior Living and Maricopa County Human Services Department, for the funding change in the amount of \$77,019. This amendment is effective upon the signature by the Chairman and will expire on June 30, 2008. (C2208089101)

**Parks and Recreation**

**26. IGA WITH THE TOWN OF CAVE CREEK FOR THE MARICOPA TRAIL PROJECT**

Approve an intergovernmental agreement (IGA) between the Town of Cave Creek and Maricopa County, through its Parks and Recreation Department. This IGA will allow the Town to provide support for the Maricopa Trail segments that were approved by the County on August 16, 2004, and which are part of the Town's Trail Plan contained within the General Plan, and will provide off-street non-motorized multi-use paths through the Town of Cave Creek between Cave Creek Regional Park and Spur Cross Ranch Conservation Area. Funding for construction of these segments is approved in the FY 2007-08 General Fund County Improvement Fund (445) Maricopa Regional Trail System (MRTS) adopted budget and will not exceed \$250,000. This agreement shall be effective upon Board execution and shall expire 10 years thereafter. (C3008011200)

**CHIEF FINANCIAL OFFICER**

**Finance**

**27. FUND TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

**Materials Management**

**28. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award**

**06142-RFP      GDACS – Geospatial Adjustment Project (\$1,800,000 estimate/one year with one one-year renewal option)** Contract for the adjustment of existing GIS features to the County's Geodetic Densification and Cadastral Survey as requested by the Assessor's Office.

- Smart Data Strategies

**07035-RFP      Maximo Software Maintenance and Support (\$1,000,000 estimate/three years with three one-year renewal options)** Contract to provide Maximo/Dolphin Software Maintenance and Support as requested by the Facilities Management Department for inventory control/management purposes.

- ISG Global

**Renewals/Extensions:**

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

**Until October 31, 2008**

**05115-S      Information Technology Consultants (\$2,000,000 estimate/one year)** Price agreement renewal for IT consultants to be used by various County departments based on individual budgetary authorizations and requirements.

Amba Solutions, Inc. Analysts International Atomic Medium, Inc.  Added 05/24/07 Blue Line Planning Inc. Bluecrane, Inc. Candia Systems Assoc Inc. CedarCrestone Inc. Comforce Technical Services Coolsoft LLC Coplan And Company Crew Providers, Inc. Cybernology, Inc. Data Pacific Corporation Data Site Consortium, Inc. David Ford Consulting Engineer Desert Sky Software, Inc. DevCare Solutions E-Consulting, Inc.	Enterprise Data Consulting LLC Enterprise Technology Services GillTek Systems International, Inc. Gistic Research, Inc. Gould Intelligent LLC Harbor Consulting Group, Inc. Indusa Technical Corporation Insight Public Sector, Inc. Int Technologies LLC Integrum Technologies LLC IT Partners Jr2 Solutions KDM Technology Consulting, Inc. Kinetik I.T. KnowledgeBase Consulting KVL Consultants, Inc Law-On-Line Management Decisions, Inc Matrix Resources MSS Technologies Inc	Pragmatica LLC Premier Technical Resources RB Balch Computer Consultants S2 Business Solutions, Inc SanTrac Technologies Inc  Added 10/26/06 Sentinel Technologies Inc Stilwell Software, Inc Systems Technology Group, Inc TeamPersona Tech One Staffing Technology Staffing Solutions TEKsystems Telecom Resources International Inc. TL Solutions LLC Torus Business Group Training To You Inc
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eCorridor, Inc. EDI Engineering Mapping Solutions	MTG Management Consultants Opal Soft Inc. Paradigm Solutions LLC	TriYoung Business Solutions University Of Mississippi NCCHE Vault Digital LLC
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## **ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

### **Air Quality Department**

**29. AMENDMENT TO THE GOVERNMENTAL SERVICES CONTRACT (GSC) MAG AGREEMENT 262**

Approve Amendment No. 3 to the Governmental Services Contract (GSC) MAG Agreement 262 between Maricopa County and the Maricopa Association of Governments (MAG) to approve a revised scope of services, schedule, and budget and extend the contract period through September 30, 2008.

Also, approve acceptance of \$910,000 in grant funds from MAG to provide funding to Maricopa County for the Maricopa County Trip Reduction Program (TRP). The award period is from October 1, 2007 through September 30, 2008. All indirect costs are allowable and fully recoverable. The Department's current authorized indirect cost rate is 17.00% and will be applied, and the total estimated indirect costs are \$74,102.56. This grant is a reimbursement grant and no matching funds are required. The original grant was approved under C85060092 on November 2, 2005 (C8507008300). Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8507008301)

### **Facilities Management**

**30. MAJOR MAINTENANCE BUDGET ADJUSTMENTS FOR COMPLETION OF THE PUP TENTS RESTROOM BUILDING**

Approve the following FY 2007-08 Major Maintenance Program expenditure budget adjustments in Year 1, Appropriated Fund Balance (480), Detention Fund (255):

- **Increase** the Pup Tents (PUPT) project by \$504,545.
- **Decrease** the Towers Jail Improvements (TIJU) project by \$504,545.

The adjustments have a net zero impact on the overall County budget. (C7008026800) (ADM800-003)

## Planning and Development

**31. SOLE SOURCE CONTRACT FOR PURCHASE OF SOFTWARE UPGRADES/ENHANCEMENTS AND IMPLEMENTATION SERVICES**

Approve a sole source contract with Avolve Software Corporation for the purchase of software upgrades/enhancements and implementation services on the ProjectDox application. This upgrade will allow Planning & Development to ensure fail-over, load balancing, and automate steps that are now being performed manually. Included in this contract price are the initial software licensing and professional services for software enhancement totaling \$196,800.

Also, as per A.R.S. §42-1706(b), approve the transfer of authority expenditure from Non-Department (470) Non-Department Grants Fund (249) Expenditure Authority Reserve (4711) Line Item entitled "P&D Accella Automation" to the Planning & Development Department (440) Planning & Development Fees Fund (226). This action requires an expenditure appropriation adjustment decreasing the FY 2007-08 Non-Departmental (470) Non-Departmental Grants Fund (249) expenditure budget by \$196,800 and increasing the FY 2007-08 Planning & Development (440) Planning & Development Fees Fund (226) expenditure budget by \$196,800.

Approval of this item will allow the Department to continue to streamline its Plan Review function. As Avolve Software, Inc. is the manufacturer of ProjectDox and maintains all source code and Intellectual Property rights, the County is not aware of any other vendors capable of providing these requirements. These adjustments will result in a net impact of zero to the County budget and allow Planning and Development to use fund balance for this purchase. (C4408003100)

## Transportation

**32. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

**33. AMENDMENT TO IGA WITH THE CITY OF SURPRISE FOR DESIGN AND INSTALLATION OF A TRAFFIC SIGNAL**

Approve an amendment to the intergovernmental agreement between the **City of Surprise** and Maricopa County for the design and installation of a traffic signal at the intersection of Peoria Road and Litchfield Road. The traffic signal installation has been completed. The amendment provides for the transfer of the traffic signal from the County to the City. There are no financial expenditures or reimbursements involved. (Supervisory District 4) (C6405323201)

**34. ADDITION OF PROJECTS AND CORRESPONDING EXPENDITURE BUDGETS TO THE FY 2008-2012 FIVE-YEAR TIP**

Pursuant to A.R.S. §42-17106(B), approve the addition of the following projects and corresponding expenditure budgets to the FY 2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08).

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
T157	Riggs Road at SR 347	\$13,000
T158	Lower Buckeye Road at 67th Avenue	\$88,000
T183	Old Stage Road: New River Road to Coyote Pass	\$4,500
T185	Dynamite Blvd: Cave Creek Road to 56th Street	\$40,500
T211	Olive Avenue at Litchfield Road	\$3,000
T218	SR303 at Waddell Road	\$69,500
T232	R.H. Johnson Blvd at Meeker	\$91,500

Also, approve an amendment to the current FY 2008-2012 five-year TIP in the Department of Transportation (640) Transportation Capital Projects Fund (234) by **decreasing** the Year 1 (FY 2007-08) expenditure budget for the following projects:

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
T002	Project Reserve Account	\$306,000
T006	Unallocated Force Account	\$4,000

The requested adjustments result in a net budget impact of zero.

Transfer of funds between projects is necessary as Projects T157, T158, T211, T218 and T232 have final construction payments for work completed in FY 2006-07. Project T183 has an appraisal work requested for advanced right-of-way acquisition. Project T185 has design costs carried over from FY 2006-07. (Supervisory Districts 3, 4 and 5) (C6408078800) (ADM2000-003)

**35. AMENDMENT TO THE FY2008-2012 FIVE-YEAR TRANSPORTATION IMPROVEMENT PROGRAM**

Pursuant to A.R.S. §42-17106 (B), approve an amendment to the current FY2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation (640) Transportation Capital Projects Fund (234), Year 1 (FY 2007-08) by **decreasing** the capital budgets for the following projects:

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
T002	Project Reserves Account	\$4,020,600
T006	Unallocated Force Account	\$165,500

And, adjusting the following projects by **increasing** the FY 2007-08 (Year 1) capital budget for:

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
T011	ROW In-Fill/Road Inventory System by	\$35,000
T062	Ellsworth Road: University-McLellan (District 2)	\$1,500
T098	Williams Field Road: Gilbert- Lindsay (District 1)	\$200,000
T103	El Mirage Road: Bell Beardsley (District 4)	\$105,000
T114	Chandler Heights Road at Sanoki Wash (District 1)	\$160,000
T154	Bell Road: SR303L Grand Avenue (ITS) (District 4)	\$100,000
T186	Indian School Road: Litchfield-Dysart (District 4)	\$500,000
T235	Union Hills Multi-Use Path (District 4)	\$310,000
T253	Rainbow Road Bridge at Buckeye Canal (District 4)	\$90,000
T260	Brown Road at Signal Butte Road (District 2)	\$40,000
T265	43rd Ave: Southern to Broadway (District 5)	\$2,440,000
T266	Traffic Signal Improvement 8 (District 5)	\$35,000
T267	Traffic Signal Improvement 9 (District 3)	\$25,000
T268	Traffic Signal Improvement 10 (District 4)	\$40,500
T271	Traffic Signal Improvement 13 (District 4)	\$33,100
T272	Traffic Signal Improvement 14 (District 5)	\$71,000

Also, approve the **name change** of the following projects:

<b>Project Number</b>	<b>Name</b>
T266	Traffic Signal Improvement 8 to Baseline Road at 67th Avenue.
T267	Traffic Signal Improvement 9 to Carefree Highway at 7th Street.
T268	Traffic Signal Improvement 10 to Indian School Road at 111th Avenue.
T271	Traffic Signal Improvement 13 to MC 85 at Baseline Road.
T272	Traffic Signal Improvement 14 to 51st Avenue at Pecos Road.

The requested adjustment is necessary to realign project budgets to more closely match year-end projected expenditure amount, and results in a net impact of zero.

Transfer of funds between projects is necessary as Project T265 was anticipated to be completed in FY 2006-07; Projects T098, T103 and T154 have design costs carried over from FY07; Projects T114, T186, T235, T253 and T260 have construction bids come in higher than programmed; Project T062 has a Central Arizona Project (CAP) payment after project completion; Project T011 has increased right-of-way costs; and Projects T266, T267, T268, T271 and T272 are traffic signal projects budgeted for labor only until identified as a project and more monies are needed to develop the design. (Supervisory Districts 1, 2, 3, 4 and 5) (C6408079800) (ADM2000-003)

**36. IGA FOR IMPROVEMENTS TO AND OPERATIONS OF ELLIOT ROAD**

Approve an intergovernmental agreement between the **City of Mesa**, a municipal corporation and Maricopa County, acting through the Maricopa County Department of Transportation, for improvements to and operations of Elliot Road from 40 feet west of Signal Butte Road to 800 feet west of Signal Butte Road. This project will widen Elliot Road to include an exclusive left turn lane in the eastbound direction at Signal Butte Road. This agreement shall be effective upon filing with the County Recorder. (Supervisory District 1) (C6408080200)

**37. AGREEMENT FOR IMPROVEMENTS TO INTERSECTION AT RIGGS ROAD AND SOSSAMAN ROAD**

Approve an intergovernmental agreement between the **Queen Creek Unified School District** and Maricopa County, acting through the Maricopa County Department of Transportation, for improvements to the intersection at Riggs Road and Sossaman Road. This project is in coordination with an interrelated project between the County and the Town of Queen Creek identified under a separate agreement (T261). The purpose of this agreement is to identify and define the responsibilities of the County and the District for the roadway improvements at the intersection of Riggs Road and Sossaman Road.

Pursuant to A.R.S. §42-17106 (B), also approve an amendment to the current FY2008-2012 five-year Transportation Improvement Program (TIP) in the Department of Transportation Capital Projects Fund (234), Year 1 (FY 2007-08) by **decreasing** the capital budgets for

- Project T002, Project Reserves Account by \$225,000.
- Project T006, Unallocated Force Account by \$25,000.

And, adjusting the following project by **increasing** the FY 2007-08 (Year 1) capital budget for:

- T261, Riggs Road and Sossaman Road by \$250,000.

The requested adjustments result in a net budget impact of zero. This agreement shall be effective upon filing with the County Recorder. (Supervisory District 1) (C6408081200)

## **BOARD OF SUPERVISORS**

**Clerk of the Board**

**38. APPOINTMENTS/RESIGNATIONS**

- a. **Mobile Gardens Domestic Water Improvement District Board of Directors** – Pursuant to A.R.S. §48-1012, **appoint** Don Christian and Lois Fisher, whose terms are effective as of the date of Board approval until a successor is elected and qualifies. Both appointee seats are next scheduled for election on the eighth Tuesday before the first Tuesday after the first Monday in November of 2008. (Supervisory District 4) (C0608033900) (ADM4302)
- b. **Town of Guadalupe to the Community Development Advisory Committee** – Accept the **resignation** of Bernadette Jimenez and **appoint** Council Member Yolanda Solarez as the primary representative. Councilmember Solarez serves as an alternate member and will now be the primary.

Also, approve the **appointment** of Vice Mayor Francisco Montiel as the alternate for the Town of Guadalupe. The term of the appointments will be effective as of the date of Board approval through June 30, 2008. (C0608035900) (ADM1501-001)

- c. **Phoenix EMA Ryan White Planning Council** – **Appoint** Dan Lindell as an Institutional Member (Apothecary Shop Pharmacy), for a three year term from November 1, 2007 through October 31, 2010. (C2008031000) (ADM2153-001)

**39. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services (except for payroll vouchers) as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants (except for payroll vouchers) approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

## **SETTING OF HEARINGS**

~All hearings will be held at 9:00 a.m., 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Transportation**

**40. ROAD FILE DECLARATION**

Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, December 5, 2007.

- a. **Road File No. (5373).** In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 49). Supervisorial District 3 (C6408073000)
- b. **Road File No. (5372).** In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 45). Supervisorial District 3 (C6408074000)
- c. **Road File No. (5371).** In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 47). Supervisorial District 3 (C6408075000)
- d. **Road File No. (5370).** In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 43). Supervisorial District 3 (C6408076000)
- e. **Road File No. (5369).** In the vicinity of Hastings Way and Meridian Drive (Anthem Unit 35). Supervisorial District 3 (C6408077000)



**41. DEANNEXATIONS/ANNEXATIONS**

Pursuant to A.R.S. §9-471.02, schedule a public hearing for 9:00 a.m. Wednesday, November 14, 2007, regarding ordinances filed by the **Town of Gilbert** and the **City of Chandler** deannexing and annexing certain territory, described and verified as right-of-way only within their present corporate limits. The Town of Gilbert Ordinance No. 1925 authorized the deannexation and the City of Chandler Ordinance No. 3911 authorized the annexation of the same territory described as a portion of Queen Creek Road between Lindsay Road and the Eastern Canal, approximately 4.063 acres. (C0608036700) (ADM4206-001) (ADM4203-001)

## **CONSENT AGENDA**

**Clerk of the Board**

- 42. ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
- 43. Appointments** – Approve the Official Appointment of Gloria Jean Nichols as Deputy Recorder.
- 44. Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM4300)
- 45. Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
- 46. Combined Charitable Campaign** – Authorize the acceptance of cash, not-to-exceed \$6,500.00, and in-kind contributions generated for the 2007 Combined Charitable Campaign through corporate sponsorships and donations. These contributions will support the expenses associated with the Maricopa County 2007 Combined Charitable Campaign and will also be used as incentives to encourage employee participation. Itemized listings of commitments and donations received are on file in the Clerk of the Board's Office. Approve depositing these funds into the General Fund (100). (ADM3311-001)
- 47. Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
- 48. Market Ranges** – Approve the addition and/or replacement of Market Ranges to the authorized comprehensive listing of employee compensation Market Ranges previously approved by the Board of Supervisors. (List of additional and/or replacement market ranges are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3308-006)

- 49. **Minutes** – Approve the minutes of the Board of Supervisors meetings held June 4, 2007, and July 26, 2007.
- 50. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
- 51. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Roll Resolutions. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
- 52. **Settlement of Property Tax Cases** – Approve the settlement of tax cases dated October 31, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)
- 53. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)
- 54. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §42-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

## **FLOOD CONTROL DISTRICT AGENDA**

**FCD-1.** Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**FCD-2. RESOLUTION - FLOODPRONE PROPERTIES ASSISTANCE PROGRAM FY 2007-2008 ACQUISITION**

Adopt Resolution FCD 2007R008 - Floodprone Properties Assistance Program FY 2007-2008 Acquisition authorizing and directing the Chief Engineer and General Manager of the Flood Control District of Maricopa County (District) to obtain all necessary information for the purpose of initiating negotiations to acquire floodprone properties in accordance with the Floodprone Properties Assistance Program. The acquisitions will be based on voluntary acceptance of the offers by the applicants, which will be made according to ratings following the prioritization procedure previously approved by the Flood Control Advisory Board (FCAB) and Board of Directors, and within the available budget currently established at \$600,000. (C6908018600) (ADM1918)

**FCD-3. PURCHASE AGREEMENT AND SPECIAL WARRANTY DEED FOR THE SALE OF EXCESS LAND**

Approve and authorize the Chairman of the Board of Directors of the Flood Control District of Maricopa County to sign the Purchase Agreement and Special Warranty Deed for the sale of excess land, a portion of Parcel No. 301-10-008E, to the **Town of Guadalupe** in the amount of \$1,316,000, which is the appraised value. (C6908021B00) (ADM1903-002)

**FCD-4. RESOLUTION FCD2007R007 PHOENIX DETENTION BASIN NO. 7 DAM REHABILITATION PROJECT**

Approve Resolution FCD2007R007 Phoenix Detention Basin No. 7 Dam Rehabilitation Project, between the Flood Control District of Maricopa County and the City of Phoenix for District authorization to negotiate and prepare an intergovernmental agreement(s) to include cost sharing for the design and construction of a project to rehabilitate Phoenix Detention Basin No. 7 and to implement minor dam safety improvements at North Mountain Flood Detention No. 3, West Park Dam, and East Park Dam. (C6908022600) (ADM1900)

**FCD-5. ADJUSTMENTS TO THE FLOOD CONTROL DISTRICT FIVE-YEAR CIP**

Approve the following adjustments to the Flood Control District of Maricopa County (District) (690) FY 2008-2012 five-year Capital Improvement Program (CIP), which result in a net change of \$0: (C6908023800) (ADM1900-003)

**Decrease** Flood Control Capital Projects Fund (990)Year 1 (FY 2007-08) project expenditure budgets as follows:

<b>Project Name</b>	<b>Number</b>	<b>Amount</b>
F035	Town of Guadalupe	\$1,000
F120	Paradise Valley, Scottsdale, Phoenix	\$27,000
F130	Salt River Upstream of Indian Bend Wash	\$2,000
F207	Buckeye #1	\$312,000
F300	Spook Hill FRS	\$5,000
F343	Wickenburg ADMS	\$650,000
F344	Wittmann ADMP	\$2,000
F345	Aguila	\$129,000
F346	Hassayampa River	\$26,000
F362	Skunk Creek	\$2,000
F400	Skunk Creek/New River	\$25,000
F442	East Mesa ADMP	\$26,000
F450	Glendale/Peoria ADMP	\$290,000
F480	Queen Creek ADMP	\$55,000
F565	Durango ADMP	\$634,000
F590	Scatter Wash Channel	\$38,000
F625	Metro ADMP	\$33,000

**Increase** Flood Control Capital Projects Fund (990) Year 1 (FY 2007-08) project expenditure budgets as follows:

<b>Project Number</b>	<b>Name</b>	<b>Amount</b>
Project Reserve (FCPR)		\$216,000
F117	South Phoenix Drainage Improvements	\$87,000
F126	Salt/Gila River	\$25,000
F202	McMicken Dam	\$316,000
F211	Buckeye/Sun Valley ADMP	\$7,000
F371	Upper New River	\$237,000
F420	Spook Hill ADMP	\$299,000
F470	White Tanks ADMP	\$855,000
F491	Higley ADMP	\$3,000
F520	Adobe Dam ADMP	\$9,000
F580	ACDC ADMP	\$106,000
F620	Maryvale ADMP	\$97,000

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

55. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605)
56. Supervisors'/County Manager's summary of current events. (ADM606)

**\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\***

## **PLANNING AND ZONING AGENDA**

### **CONSENT AGENDA:** **(Detailed below)**

1. Z2007-099, Rezone from C-3 to Rural-43, located north of Old US Highway 80 and west of US Highway 85 (in the Buckeye area) (District 4)
2. S2007-011, Final Plat in the R1-6 RUPD zoning district, located at the northeast corner of Riggs Road & E. J. Robson Boulevard (in the Sun Lakes area) (District 1)

### **REGULAR AGENDA:** **(Detailed below)**

3. DMP2006-008, Development Master Plan (DMP) located at the southeast corner of the 395th Avenue & Maryland Avenue alignments (in the Tonopah area) (District 5)
4. Z2007-038, Rezone from C-O to C-O CUPD with a precise Plan of Development, located south of Anthem Way on the southwest side of Venture Drive (in the Anthem area) (District 3)
5. Z2006-057, Special Use Permit (SUP) in the Rural-43 zoning district, located at the southwest corner of Galvin Street & 7th Street (in the New River/Desert Hills area) (District 3)
6. Z2007-017, Special Use Permit (SUP) in the Rural-43 zoning district, located at the southeast corner of Chandler Heights Road & 126th Street (in the Chandler area) (District 1)
7. Z2007-058, Special Use Permit (SUP) in the R1-6 RUPD zoning district, located at the northeast corner of Price Road & Teakwood Drive (in the Sun Lakes area) (District 1) (requires a  $\frac{3}{4}$  super-majority vote for approval due to opposition from adjacent property owners)

### **CONSENT AGENDA DETAIL:**

1. **Z2007-099** District 4

Applicant: Ron Dinardo for Arizona Development and Investment, LLC  
Location: North of Old US 80 Highway and west of US Highway 85 (in the Buckeye area)  
Request: Rezone from C-3 to Rural-43 (approximately 4.21 acres) – Raw Land Re-Zone

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2007-099. Commissioner Makula seconded the motion, which passed with a unanimous vote of 8-0.

2. **S2007-011** District 1

Applicant: Donna Hancock  
Location: Northeast corner of Riggs Road and E.J. Robson Boulevard (in the Sun Lakes area)  
Request: Final Plat in the R1-6 RUPD zoning district for Sun Lakes Unit Twenty-Nine "A" (approximately 2.41 gross acres)

**REGULAR AGENDA DETAIL:**

3. **DMP2006-008** District 5

Applicant: David Evans and Associates, Inc. for Colombia Properties  
Location: Southeast corner of 395th Avenue and Maryland Avenue alignments (in the Tonopah area)  
Request: Development Master Plan (DMP) (approximately 561 acres) – Tonopah 561

**COMMISSION ACTION:** Commissioner Munoz moved to recommend approval of DMP2006-008, subject to stipulations “a” through “ee”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development shall comply with the Development Master Plan document entitled “Tonopah 561 Development Master Plan”, a bound document, dated May, 2007 and stamped received August 21, 2007, including all exhibits, maps, and appendices, except as modified by the following stipulations.
- b. Within 30 days of approval by the Board of Supervisors, a revised DMP narrative report document and land use plan shall be submitted for review and approval by the Planning and Development Department showing any revisions to the narrative report or land use plan that may be stipulated by the Planning and Zoning Commission and/or the Board of Supervisors.
- c. Changes to the Tonopah 561 Development Master Plan with regard to use and intensity, or changes to any of the stipulations approved by the Maricopa County Board of Supervisors, shall be processed as a revised application with approval by the Board of Supervisors upon recommendation by the Maricopa County Planning and Zoning Commission. Revised applications shall be in accordance with the applicable Development Master Plan Guidelines, subdivision regulations, and zoning ordinance in effect at the time of application(s) submission. The Maricopa County Planning and Development Department may approve minor changes administratively as outlined in the Maricopa County Development Master Plan Guidelines in effect at the time of amendment. Non-compliance with the approved Tonopah 561 Development Master Plan narrative report, maps, and exhibits, or the stipulations of approval will be treated as a violation in accordance with the provisions of the Maricopa County Zoning Ordinance.
- d. All stipulations of approval shall remain in effect in the event of a change in name of the Tonopah 561 Development Master Plan.
- e. The initial final plat for Tonopah 561 Development Master Plan shall be approved by the Board of Supervisors within five (5) years of approval of this development master plan. If the initial final plat has not been approved within this timeframe, this development master plan will be scheduled for public hearing by the Maricopa County Board of Supervisors, upon recommendation by the Maricopa County Planning and Zoning Commission, to consider revocation of the adopted development master plan. If revoked, all zoning and other entitlement changes approved that are associated with Tonopah 561 Development Master Plan shall also be considered for revocation by the Board of Supervisors, upon recommendation of the Commission, to the previous entitlements.
- f. The property owner and their successors waive claim for diminution in value if the County takes action to rescind approval of this Development Master Plan due to noncompliance with any of the approved stipulations.

- g. Prior to approval of any zone change, the master developer shall enter into a development agreement with Maricopa County. Further, prior to approval of any zone change this development agreement shall be signed by both the master developer and the designated Maricopa County representative(s) and provided to the Maricopa County Planning and Development Department for public record.
- h. The master developer shall be responsible for the construction of all public and private on-site roads within the Tonopah 561 Development Master Plan. Further, the Tonopah 561 homeowners association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and public facilities, washes, parks, roadway median landscaping, landscaping within public rights-of-way, and all pedestrian, bicycle, and multi-use paths.
- i. Landscaping of all common areas and open spaces, except for identified recreational areas, within Tonopah 561 shall consist of indigenous and near-native plant species of a xeriphytic nature.
- j. Unless waived by the Board of Supervisors at the time of final plat approval, all irrigation water supplied for common/open space areas and lakes shall be provided entirely by a renewable supply of water, such as treated effluent, surface water, or Central Arizona Project (CAP) water, within three (3) years after issuance of the first building permit. Interim water for the purposes noted may be supplied by groundwater and shall comply with all Arizona Department of Water Resources regulations. Proof of conversion from groundwater to a renewable water supply shall be provided to the Maricopa County Planning and Development Department within the three year requirement.
- k. The Tonopah 561 Development Master Plan shall be developed sequentially as depicted on Table 6 – Proposed Phasing and on Exhibit 12 - Phasing Plan Map contained in the Tonopah 561 Development Master Plan narrative report.
- l. The total number of residential dwelling units for the Tonopah 561 Ranch Development Master Plan shall not exceed 3,036. To help ensure compliance, the cumulative number of dwelling units platted to date, in relation to the identified limit, shall be identified on all plats.
- m. The master developer shall submit a written report to the Maricopa County Planning and Zoning Commission outlining the status of the Tonopah 561 Development Master Plan every three years following Board of Supervisors approval. The status report shall discuss development progress, including the total number of units built and platted, locations of areas/parcels under construction, status of infrastructure development, status of non-residential property, progress on how the stipulations of approval are being implemented, and any other information as requested by the Maricopa County Planning and Development Department.
- n. Until annexation or incorporation of the entire development master plan takes place, the master developer shall notify all future Tonopah 561 Development Master Plan residents that they are not located within an incorporated city or town, and therefore will not be represented by, or be able to petition a citizen-elected municipal government. Notification shall also state that residents will not have access to municipally-managed services such as police, fire, parks, water, wastewater, libraries, and refuse collection. Such notice shall be included on all final plats, be permanently posted on the front door of all home sales offices on not less than an 8 ½ inch by 11 inch sign, and be included in all homeowner association covenants, conditions, and restrictions (CC&Rs).

- o. All park facilities shall be completed concurrently with residential development of the respective plat on which the park is shown.
- p. Not less than 32 acres shall be reserved for Recreational Open Space (ROS) land use. The project shall have two (3) neighborhood park sites of various acreages in the general locations shown in Exhibit 1 – Land Use Plan in the narrative report. Further, not less than nine (9) mini parks a minimum of 0.5 acres each shall be provided in the general locations identified in Exhibit 1 – Land Use Plan and in Exhibit 19 – Concept Mini-Park Retention Locations in the narrative report. All parks shall include recreational amenities. In addition, not less than 16 acres of dedicated, non-developable open space (except for areas requiring bank protection) shall be provided in the general locations shown on the Land Use Plan for preservation of wash corridors in their natural state. At the time of each preliminary plat submission, the master developer shall include a description of the status of the cumulative open space acreage and park numbers with respect to the requirements of this stipulation. A description of the types of recreational amenities that will be included in the Recreational Open Space and mini-parks shall also be submitted with all preliminary plats to the Maricopa County Planning and Development Department.
- q. Not less than 19 acres shall be reserved for Mixed-Use land use as depicted on Exhibit 1 – Land Use Plan in the narrative. No more than 349 dwelling units shall be developed within the Mixed Use (parcels 13 and 15.) No less than 10 acres of the Mixed Use parcels shall be developed for commercial and office employment uses. To help ensure compliance, at the time of each preliminary plat or precise plan submittal the master developer shall include a description of the status of the cumulative residential, commercial and office land use acreage platted to date with respect to the requirements of this stipulation.
- r. Not less than 10 acres shall be reserved for Office land use in the general location of Parcel 12.
- s. Unless otherwise agreed to by the Saddle Mountain Unified School District, one (1) school site at a minimum of 15.52 acres shall be reserved for a school at the location identified on Exhibit 1 – Land Use Plan of the narrative.
- t. Prior to zone change approval, the master developer shall provide a “will serve” letter and a Certificate of Convenience and Necessity from the Water Utility of Greater Tonopah demonstrating commitment to serve the entire Tonopah 561 Development Master Plan with water service, which is subject to approval by the Maricopa County Department of Environmental Services.
- u. Prior to any zone change approval, the master developer shall provide a “will serve” letter from the Balterra Sewer Corporation demonstrating commitment to serve the entire Tonopah 561 Development Master Plan with wastewater service. The “will serve” letter shall demonstrate a willingness and capability to serve the entire Tonopah 561 DMP with wastewater service.
- v. Prior to approval of the first preliminary plat, the master developer shall provide a “will serve” letter for fire protection from the Tonopah Valley Fire District or another qualified public or private fire service provider demonstrating commitment to serve the entire Tonopah 561 Development Master Plan, which is subject to approval by the Maricopa County Planning and Development Department.
- w. An archaeological survey of the subject property shall be conducted prior to approval of any preliminary plat to locate and evaluate any cultural resources on the site. Once



complete, a report of the results shall be provided to the Arizona State Historic Preservation Officer (SHPO) for review and comment before any ground disturbing activities related to development are initiated. The applicant shall perform an archaeological analysis to evaluate the eligibility of cultural resource sites for the National or State Register of Historic Places. If Register eligible properties cannot be avoided by development activities, then the Arizona SHPO shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the National Historic Preservation Act.

- x. The following Maricopa County Library District stipulation shall apply:
  - \$596.00 per residential unit shall be paid to the Maricopa County Library District by the master developer as each residential building permit is issued for the purposes of future library service and infrastructure needs.
- y. The following Maricopa County Parks and Recreation Department stipulations shall apply:
  - 1. Two hundred fifty dollars (\$250) per residential unit will be paid by the master developer as each residential building permit is issued, to a fund for the White Tank Regional Park for trails and facilities enhancement and maintenance. The County shall deposit and hold all receipts in the parks special revenue fund for the specific purposes stated above. All interest earned on the fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing county appropriations for similar purposes, but rather are intended as supplemental resources resulting from additional park usage by Tonopah 561 residents. Maricopa County Parks and Recreation Department will provide each residential unit in the Tonopah 561 Development Master Plan with a one-year, seventy-five (\$75) voucher toward the purchase of an annual pass for entrance into any desert mountain regional park administered by said department, except Lake Pleasant Regional Park.
  - 2. Two hundred fifty dollars (\$250) per residential unit shall be paid by the master developer as each residential building permit is issued, to a fund for the Maricopa Trail system for design, construction, enhancement, operation and maintenance. The County shall deposit and hold all receipts in the trails special revenue fund for the specific purposes stated. All interest earned on this fund shall remain an asset of the fund. The assets of this fund are not intended to replace existing County appropriations for similar purposes, but are intended as supplemental and enhancement resources needed as this community grows in its residents' use of the Maricopa Trail.
- z. The following Maricopa County Department of Emergency Management stipulations shall apply:
  - 1. Any areas not covered by the existing Outdoor Warning Siren System used to alert residents within the 10-mile Emergency Planning Zone of the Palo Verde Nuclear Generating Station in time of emergency shall be required to include additional sirens, at the developer's cost, in order to provide adequate warning for the residents of that development, using technical information concerning the siren system obtained from the Emergency Planning Department at the Palo Verde Nuclear Generating Station. In addition, adequate signage available from the Palo Verde Nuclear Generating Station Emergency Planning Department

shall be required to be posted on the site to inform the public of the presence of a nuclear generating station in the vicinity and outlining actions to take upon receiving warning notification.

2. The developer shall ensure that public safety information regarding nuclear emergencies is initially provided to any new residents or building occupants. The applicant shall obtain this information from the Palo Verde Nuclear Generating Station – Emergency Planning Department. All costs associated with the duplication and dissemination of the initial distribution shall be assumed by the applicant. Thereafter, the Palo Verde Nuclear Generating Station will provide this public safety information annually.
- aa. The following Maricopa County Sheriff's Office (MCSO) stipulation shall apply:
- Prior to any zone change, the master developer shall enter into a development agreement and Law Enforcement Services agreement with the Maricopa County Sheriff's Office (MCSO) to provide law enforcement services to this development and surrounding areas. This development and Law Enforcement Services agreement shall include, but not necessarily be limited to, the master developer's requirement to pay their proportionate share for start up costs (vehicular purchase and patrol equipment, e.g. radios, tasers and vehicle laptops) and interim fees for law enforcement services associated with the property unless it is annexed into an incorporated municipality or until a full law enforcement service contract is otherwise implemented. This development agreement may also include, but not necessarily be limited to, the master developer's requirement to donate at no cost to the county, for use by the Maricopa County Sheriff's Office, their proportionate share of separate office space complete with tenant improvements or land (the size to be determined in the development and Law Enforcement Services agreement,) or payment of fees when a permit is issued, for the Sheriff's Office to conduct day-to-day business related to providing law enforcement services to this development and surrounding areas. The office space complete with tenant improvements per Maricopa County Sheriff's Office requirements and associated parking or land shall be provided not later than two (2) years from the opening of the first model home complex within the DMP, or as agreed to in the development and Law Enforcement Services agreement. The developer(s) who incur the above Sheriff's Office costs shall be eligible for reimbursement from other service area developers, with the rate of reimbursement defined in the development agreement. This stipulation shall be modified should a Sheriff's Office Impact Fee be enacted by the county. This development and Law Enforcement Services agreement shall be signed by both the master developer and the Maricopa County Sheriff's Office and provided to the Maricopa County Planning and Development Department for public record.
- bb. The following Flood Control District of Maricopa County (FCD) stipulations shall apply:
- The owner or his representative shall obtain a Conditional Letter of Map Revision prior to any final plat approvals.
- cc. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
1. The Applicant (Developer) has provided a Traffic Impact Study (TIS.) The TIS shall comply with MCDOT requirements and shall address development phasing and the offsite improvements necessary to accommodate the anticipated traffic

demands. The TIS shall address the timing, including “trigger” points for when design should begin, and “thresholds” by which time construction should be complete. The TIS must be approved before subsequent approval of any roadway improvement plans. The TIS (original dated April 27, 2007) shall be updated prior to any zoning (rezoning) and/or final plat approvals and with each development phase to reflect current conditions and any changes to the development plan. The need for additional lane capacity on offsite arterial alignments will be reviewed with each re-submittal of the TIS. The project must comply with all recommendations in the MCDOT-approved TIS.

2. The Developer shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per residential dwelling unit. The Developer may construct certain regional improvements as further defined in the Development Agreement, in lieu of payment of this contribution. Such street improvements must be “system roadways,” must be all-weather facilities, must meet county standards in effect at the time they are improved, and must be pre-approved by MCDOT. MCDOT may require a Development Agreement to detail the specifics of construction, including phasing and timing. If the Developer does not construct regional roadway improvements, the Developer shall pay the contribution amount at the time individual building permits are issued, or per an alternate agreement as approved by MCDOT.
3. The Development Agreement shall be executed prior to any zoning (rezoning) or preliminary plat approval. The Development Agreement shall be an enforceable contract, regardless of annexation.
4. The Developer shall provide the ultimate full or half-width of right-of way for all public roadways. Right-of-way shall be provided as follows:
  - a. 395th Avenue: 65 feet half-width (perimeter) r/w.
  - b. 394th Avenue: 80 feet full-width (interior) r/w.
  - c. 392nd Avenue: 60 feet full-width (interior) r/w.
  - d. 391st Avenue (north of Missouri Avenue): 80 feet full-width (interior) r/w.
  - e. 390th Avenue: 80 feet full-width (interior) r/w.
  - f. Maryland Avenue: 40 feet half-width (interior) r/w.
  - g. Bethany Home Road: 130 feet full-width (interior) r/w.
  - h. Missouri Avenue: 40 feet half-width (perimeter) and 80 feet full-width (interior) r/w.
  - i. Camelback Road: 100 feet half-width (perimeter) r/w.

The above references the interior and perimeter roads. (The project boundary is the centerline of all perimeter roadways and/or roadway alignments.) Full-width right-of-way shall be provided where the entire roadway is within the development (interior roadways.) Half-width right-of-way shall be provided where “half” of the roadway is within the development (perimeter roadways.) Additional right-of-way shall be dedicated at any intersections where future dual left turns

are possible. The widened right-of-way section shall accommodate the length of the left turn lane, including reverse curves.

The Maricopa Association of Governments (MAG) in conjunction with the Arizona Department of Transportation (ADOT) is conducting a "Hassayampa Valley Regional Transportation Network Study." This study is evaluating future regional arterial transportation network needs. The Developer shall reserve sufficient right-of-way for transportation facilities in compliance with the MAG Hassayampa Study.

5. The Developer shall be responsible for design and construction of the ultimate full-width of all interior roadways, and the ultimate half-width perimeter roadways, unless approved otherwise by MCDOT. A portion of these improvements may be creditable to the Developer's contribution referred to in item #2. All roadways must meet all county standards in effect at the time. (This includes, but is not limited to the "MCDOT Roadway Design Manual," including ITS infrastructure requirements and the "Drainage Policies and Standards for Maricopa County.") Half-width roadways must be designed and constructed so as to safely carry two-way traffic until the ultimate roadway is constructed. The Developer shall relocate any "obstructions" (well sites, etc. and/or provide additional right-of-way in the event of conflict with any transportation facilities. Roadway improvement plans must be approved and permitted by MCDOT.
6. The Developer is responsible for assuring paved access to their site at the time of the first final plat. Improvements necessary to provide paved access may or may not be creditable to the Developer's contribution referred to in item #2.
7. The Developer shall provide all-weather access to all parcels and lots, and on all arterial roadways.
8. The Developer shall provide and make available a minimum of two access points to each development phase and/or subdivision unit.
9. The Developer shall not locate elementary or middle schools on arterial alignments. (The schools may not "back-up" to arterials.) Pedestrian routes to school shall be planned so if necessary, the route to school shall only cross arterials at signalized intersections.
10. The Developer shall design the development to promote pedestrian, bicycle and other alternative modes of transportation to public facilities within and adjacent to the site, by means in addition to the roadway system. Crossings of arterials at other than signalized intersections may be required to be grade separated. The Developer shall prepare a comprehensive multimodal transportation and circulation plan (the "Multimodal Plan") which addresses public transit, bicycle, pedestrian, golf cart, equestrian and other alternative uses. The Multimodal Plan must be approved before the subsequent approval of any roadway improvement plans.
11. If streetlights are provided, installation shall be provided by the Developer. If streetlights are within public right-of-way, a Street Light Improvement District (SLID) or comparable authority must be established to provide operation and maintenance. The Applicant should contact the Office of the Superintendent of Streets (602-506-8797) to initiate the SLID process.

12. The Developer shall design landscaping to comply with all county requirements and to conform to the MCDOT Roadway Design Manual. The Developer (or as assigned to the Homeowner's Association (HOA) shall be responsible for maintenance of landscaping within public rights-of-way.
13. The Developer shall provide a construction traffic circulation plan. The construction traffic circulation plan must be approved by MCDOT.
14. The Developer shall comply with all applicable local, state and federal requirements (dust control, noise mitigation, AZPDES, 404 permitting, etc.)
15. The Developer shall provide written documentation of ADOT's review and requirements. (The Developer has submitted documentation of ADOT's review. MCDOT is in the process of evaluating ADOT comments. This coordination will be on-going.)
16. The Developer shall satisfactorily address needed improvements to Indian School Road, Wintersburg Road and the 359th Avenue/I-10 traffic interchange. (This is in process and will be on-going.)

dd. The following Luke Air Force Base (LAFB) stipulation shall apply:

The master developer shall notify future residents that they are located within the vicinity of a military training route with the following notification:

"You are buying a home or property within the vicinity of a military training route, and may be subject to direct overflights and noise by Luke Air Force Base and other military jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flights per year, at an average of approximately 170 over flights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range, and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 A.M. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends."

Such notification shall be permanently posted in front of all home sales offices on not less than a 3 foot by 5 foot sign, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, be included in all covenants, conditions, and restrictions (CC&Rs) and be included in the public report.

ee. The following Drainage stipulations shall apply:

1. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.

2. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
3. The applicant shall address all items identified in the drainage review memorandum dated August 1, 2007.
4. **Z2007-038** District 3

Applicant: Butler Design Group for Reliance Companies  
Location: South of Anthem Way on the southwest side of Venture Drive (in the Anthem area)  
Request: Rezone from C-O to C-O CUPD with a precise Plan of Development (approximately 6.65 acres) – Reliance Anthem Corporate Center

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of Z2007-038, subject to stipulations “a” through “q”. Commissioner Smith seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the site plan entitled “Reliance Anthem Corporate Center” consisting of fifteen (15) full size sheets, dated revised June 6, 2007, and stamped received August 22, 2007, except as modified by the following stipulations. Within 30 days of Board of Supervisors (BOS) approval, the applicant shall provide a revised site plan addressing maximum building height.
- b. Development of the site shall be in conformance with the narrative report entitled “Reliance Anthem Corporate Center” consisting of twenty-nine (29) pages and twelve (12) 11” x 17” sized color exhibits, but excluding the floor plans identified as sheets A1.1, A1.1a, A1.1b, A1.2, A1.2a, A1.2b, A2.1, A2.1a, A2.1b, A2.2, A2.2a, A2.2b and grading and drainage plans identified as sheets C1 – C13, dated revised August 15, 2007, and stamped received August 22, 2007, except as modified by the following stipulations.
- c. Development of the site shall be in conformance with the landscape plan entitled “Reliance Anthem Corporate Center”, consisting of two (2) full size sheets, dated revised August 9, 2007, and stamped received August 22, 2007, except as modified by the following stipulations.
- d. Development of the site shall be in conformance with the comprehensive signage package provided within the Reliance Anthem Corporate Center narrative report entitled, “Comprehensive Signage Program” consisting of ten (10) 11” x 17” sized color exhibits identified as pages 1 - 10. Compliance with this Comprehensive Signage Package constitutes a Commercial Unit Plan of Development (CUPD) Overlay for the site.
- e. All trees shall be double-staked when installed.
- f. A continuous parapet shall screen all roof-mounted equipment.
- g. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened from view.

- h. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:
  - 1. Construct a 5'-foot sidewalk with ADA ramps at driveways to meet MCDOT requirements on Venture Drive.
  - 2. Driveway locations and configurations must meet MCDOT requirements per Roadway Design Manual.
  - 3. Any landscape in County right-of-way must meet MCDOT requirements per Roadway Design Manual.
- i. The following Drainage Review stipulations shall apply:
  - 1. At submittal of the construction plans detailed information and calculation to be provided for the environmental pillows in the catch basin.
  - 2. Provide a maintenance program for the environmental pillows.
- j. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- k. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- l. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- m. Development and use of the site shall comply with the requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- n. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- o. Major changes to the site plan and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- p. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- q. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

5. **Z2006-057** District 3

Applicant: Paula & Kenneth Doerr  
Location: Southwest corner of Galvin Street and 7th Street (in the New River/Desert Hills area)  
Request: Special Use Permit (SUP) for a kennel in the Rural-43 zoning district (approximately 1.074 acres) – Santa Fe Dog Retreat

**COMMISSION ACTION:** Commissioner Smith moved to recommend approval of Z2006-057, subject to stipulations “a” through “w”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the site plan entitled “Santa Fe Dog Retreat (Dog Kennel)”, consisting of one (1) full-size sheet, dated revised July 27, 2007 and stamped received August 3, 2007, except as modified by the following stipulations. Within 30 days of Board of Supervisors approval, the applicant shall submit a revised site plan that addresses the following items:
  - i. The site visibility triangle (STV) located adjacent to the northwest corner of the site shall be relocated such that the base of the triangle is coincident with the right-of-way line and the side of the triangles is coincident with the westernmost edge of the driveway. Any portion of the STV that encroaches onto the adjacent property shall be subject of a sight visibility triangle license that favors the subject property.
  - ii. Should the applicant be unable to obtain a sight visibility triangle license, the Site Plan shall be amended such that the STV discussed in stipulation a.i above is located entirely on the subject property, with the driveway shifted to the east a commensurate distance.
  - iii. The Site Plan shall indicate the length of all parking spaces.
  - iv. The Site Plan shall indicate all landscaping located on the subject property and adjacent right-of-way.
- b. Development of the site shall comply with the narrative report entitled “Santa Fe Dog Retreat”, consisting of seven (7) pages, dated July 30, 2007 and stamped received August 3, 2007 except as modified by the following stipulations. Within 30 days of Board of Supervisors approval, the applicant shall submit a revised narrative that amends the statement related to diagonal parking spaces such to indicate right-angle parking.
- c. The applicant shall continue to comply with the Maricopa County Environmental Health Code, as administered by the Maricopa County Environmental Services Department.
- d. All trees shall be double-staked when installed.
- e. The west boundary area along the parking spaces shall be screened from view, either by landscaping or with view-obscuring material. No portion of the screening shall exceed a height of two (2) feet if within a required sight visibility triangle.
- f. The following stipulations from Maricopa County Department of Transportation (MCDOT) shall apply:



- i. The applicant shall pave the portion of the driveway located within County right-of-way.
  - ii. No parking is allowed within county right-of-way.
- g. Dedication of additional right(s)-of-way to bring the total half-width dedication to 40' for Galvin St. shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- h. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- i. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- j. The maximum number of dogs allowed at the facility on any given day shall be limited to twenty-five.
- k. At no time shall the dogs be allowed outside without direct supervision.
- l. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- m. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- n. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.
- o. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- p. This Special Use Permit shall expire fifteen (15) years from the date of approval by the Board of Supervisors, or upon expiration, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 60 days of such termination or expiration.
- q. The applicant shall submit a written report outlining the status of the development every five (5) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- r. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

- s. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- t. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- u. Major changes to this Special Use Permit (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- v. The daily outdoor exercising of dogs shall be limited to the following schedules: Summer is designated as May through October, and Winter is designated as November through April.

Summer hours:           7 a.m. to 9 p.m.  
Winter hours:           7 a.m. to 7 a.m.

No dogs shall be allowed outside the premises from 9:00 p.m. to 7:00 a.m.

- w. The hours of operation for the Santa Fe Doggie Retreat shall be as follows:

	<u>Morning Drop-Off</u>	<u>Afternoon Pick-Up</u>
Mon. thru Sat.	6:30 to 11:00 a.m.	4:00 pm –7:00 p.m.
Sunday	8:00 to 11:00 a.m.	4:00 pm - 6:00 p.m.

**6. Z2007-017 District 1**

Applicant: Jennifer Lynn & Dean Richards  
Location: Southeast corner Chandler Heights Road and 126th Street (in the Chandler area)  
Request: Special Use Permit (SUP) for a private school in the Rural-43 zoning district (approximately 1.34 acres) – Montessori Christian Academy

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2007-017 subject to stipulations “a” through “z”. Commissioner Barney seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the site plan entitled “Montessori Christian Academy”, consisting of one (1) full-size sheet, dated (revised) August 2007, and stamped received August 29, 2007, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Special Use Permit for Private School a Montessori Christian Academy”, consisting of seven (7) pages, dated (revised) August 27, 2007, and stamped received August 29, 2007, except as modified by the following stipulations.
- c. Within 90 days of the Board of Supervisors approval, the applicant shall landscape the perimeter of the site with desert vegetation to screen the play yard to provide visual relief from adjacent property owners. The fencing around the play yard shall also be secured

with welded wire or in some other suitable manner. These improvements shall be depicted on the site plan as part of the first status report.

- d. The Montessori Christian Academy shall operate Monday - Friday from 7:00 a.m. to 6:00 p.m.
- e. The maximum number of students shall be twenty eight (28).
- f. There shall be no off-street parking.
- g. There shall be no extracurricular events, meetings, parties, or any other type of gatherings at the subject site.
- h. The school shall not maintain any type of animals or fowl on the premises.
- i. Prior zoning clearance, the applicant shall provide documentation for legal ingress/egress along 126th Street to the site.
- j. Prior to occupying the existing residence or any portion thereof for any use associated with the Special Use Permit, the applicant shall obtain a Building Permit to retrofit the existing residence to meet current commercial building code requirements as applicable and shall obtain a Certificate of Occupancy for the retrofitted building prior to occupancy.
- k. Dedication of additional rights-of-way to bring the total half-width dedication of 65' for Chandler Heights Rd. shall occur within six (6) months of approval of this request by the Board of Supervisors, and prior to zoning clearance.
- l. The following Maricopa County Department of Transportation (MCDOT) shall be met:
  - All driveway and parking areas be paved and maintained by the applicant.
- m. All trees shall be double-staked when installed.
- n. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible.
- o. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- p. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- q. All development and engineering design shall be in conformance with the Drainage Regulation and current engineering policies, standards and best practices at the time of application for construction.
- r. Drainage review of planning and/or zoning cases is for conceptual design only and does not represent final design approval nor shall it entitle applicants to future designs that are not in conformance with the Drainage Regulation and design policies and standards.

- s. The applicant or his successor shall obtain approval of any development plans from the Office of the Arizona State Fire Marshal prior to any construction.
- t. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- u. This Special Use Permit shall expire twelve (12) years from the date of approval by the Board of Supervisors. All of the site improvements shall be removed within 60 days of such termination or expiration.
- v. The applicant shall submit a written report outlining the status of the development, together with a traffic issues (including volume, access, etc.) every three (3) years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- w. Major changes to the Special Use Permit (SUP) shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- x. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- y. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- z. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

7. **Z2007-058** District 1  
(requires a  $\frac{3}{4}$  super-majority vote for approval due to opposition from adjacent property owners)

Applicant: B & R Engineering for Sun Lakes Limited Partnership  
Location: Northeast corner of Price Road and Teakwood Drive (in the Sun Lakes area)  
Request: Special Use Permit (SUP) for outdoor storage/construction yard in the R1-6 RUPD zoning district (approximately 1.02 acres) – Sun Lakes Carpet and Roofing Center

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2007-058, subject to stipulations "a" through "o". Commissioner Smith seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall comply with the site plan entitled "Special Use Permit consisting of two (2) sheets for Sunburst Roofing Company and Sun Lakes Carpet

Center", consisting of two (2) sheets, dated revised August 30, 2007 and stamped received August 31, 2007, except as modified by the following stipulations.

- b. Development of the site shall be in conformance with the narrative report entitled "Narrative Report for Sun Lakes Carpet Center and Sunburst Roofing Company - Special Use Permit", consisting of eleven (11) pages, dated (revised) July, 2007, and stamped received August 31, 2007, except as modified by the following stipulations.
- c. The hours of operation for the facility shall be limited to 6:00 a.m. to 4:00 p.m., Monday through Friday.
- d. The number of full-time employees shall not exceed seven (7).
- e. The number of deliveries shall not exceed ten (10) per day.
- f. There shall be no off-site parking permitted for day to day operations of the facility.
- g. There shall be no outdoor storage of materials which exceed 6' (h). All outdoor storage materials must be placed so as to be screened by the 6' (h) block wall as reflected on the site plan.
- h. All outdoor lighting shall conform with the Maricopa County Zoning Ordinance.
- i. There shall be no structures, landscaping, fence, wall, or terrace or other obstruction to view in excess of two feet in height as measured from the centerline of the street shall be placed within the required 25-foot sight visibility triangles.
- j. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- k. This Special Use Permit shall expire on January 3, 2009, or upon expiration of the lease to the applicant, or upon termination of the use, whichever occurs first. All of the site improvements shall be removed within 90 days of such termination or expiration.
- l. Major changes to the Special Use Permit shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- m. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.
- n. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- o. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.